



Docket No. 34650-00677USPT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 09/882,963  
 Applicant(s) : Bryan Smith  
 Filed : June 15, 2001  
 Title : METHOD AND APPARATUS FOR A USER TO  
 AVOID UNINTENTIONAL CALLS IN A MOBILE  
 TELEPHONE NETWORK

**RECEIVED**

TC/A.U. : 2681  
 Examiner : Not Yet Assigned

OCT 07 2003

Technology Center 2600

Docket No. : 34650-00677USPT

MAIL STOP: NON-FEE AMENDMENT  
 Honorable Commissioner for Patents  
 P. O. Box 1450  
 Alexandria, VA 22313-1450

CERTIFICATE OF MAILING	
I hereby certify that this correspondence is being deposited postage paid with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P. O. Box 1450 Alexandria, VA 22313-1450	
on	<u>October 2, 2003</u>
Signature	<u>Carol Mitchell</u>

**PRELIMINARY AMENDMENT TRANSMITTAL LETTER**

Dear Sir:

This is a response/amendment/letter in the above-identified application and includes the transmitted herewith attachment(s) of the same date and subject which is/are incorporated hereunto by reference. The signature below is to be treated as the signature to the attachment(s) in absence of a signature thereto.

Transmitted herewith in the above-identified application is/are:

- 1) Preliminary Amendment Transmittal Letter;
- 2) Preliminary Amendment;
- 3) Acknowledgment Postcard.

\_\_\_\_ Small entity status of this application under 37 CFR 1.9 and 1.27 has been established by a verified statement previously submitted.

\_\_\_\_ A verified statement claiming small entity status under 37 CFR 1.9 and 1.27 is enclosed.

X No additional fee is required.

\_\_\_\_ The Fee for entering the attached Preliminary Amendment is calculated below:

	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST # PREVIOUSLY PAID FOR		PRESENT EXTRA		SMALL ENTITY RATE		LARGE ENTITY RATE	
TOTAL CLAIMS	_____	-	_____	=	_____		x9	=	OR	x18 = \$ _____
			(at least 20)		(at least 0)					
INDEP. CLAIMS	_____	-	_____	=	_____		x40	=	OR	x80 = \$ _____
			(at least 3)		(at least 0)					
FIRST PRESENTATION OF <u>PROPER</u> MULTIPLE DEPENDENT CLAIMS							+135	=	OR	+270 = \$ _____
(leave blank if this is a <u>reissue</u> appln)										

**FEE FOR CLAIM AMENDMENTS** \$ \_\_\_\_\_

\_\_\_\_ IDS ATTACHED REQUIRES OFFICIAL FEE - ADD \$180 (RULE 1.97(c)) PETITION) \$ \_\_\_\_\_

\_\_\_\_ Assignment Recordation Fee (\$40) \$ \_\_\_\_\_

\_\_\_\_ IF TERMINAL DISCLAIMER attached add Rule 20(d) Official Fee \$55 \$110 \$ \_\_\_\_\_  
(Small Entity) (Large Entity)

\_\_\_\_ **Petition is hereby made** under 37 CFR 1.136(a) to extend the original due date to cover the date this response is filed for which the requisite fee is attached:

	Small Entity	Large Entity
One Month	_____ \$ 55	_____ \$110
Two Months	_____ \$195	_____ \$390
Three Months	_____ \$445	_____ \$890
Four Months	_____ \$695	_____ \$1390

**ADDITIONAL FEE FOR EXTENDED RESPONSE** \$ \_\_\_\_\_

Applicant has not been notified that the requested extension will not be permitted. The present application is not involved in an interference declared pursuant to 37 CFR 1.611.

**TOTAL FEES** \$ \_\_\_\_\_

\_\_\_\_ A check in the amount of \$ \_\_\_\_\_ to cover the TOTAL FEE is attached. Please charge any deficiency or credit any overpayment to Deposit Account No. 10-0447.

\_\_\_\_ Please charge my Deposit Account No. 10-0447 in the amount of \$ \_\_\_\_\_ to cover the TOTAL FEE. This sheet is attached in duplicate.

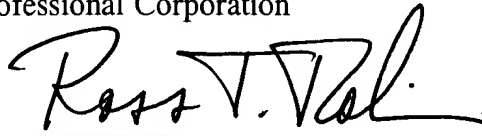
**CHARGE STATEMENT:** If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136. The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and may be required under 37 CFR 1.16-1.18 (missing or insufficiencies only) now or hereafter relative to this application and for the resulting Official Document under 37 CFR 1.20, OR credit any overpayment to our Deposit Account No. 10-0447, for which purpose a duplicate copy of this sheet is attached.

**This CHARGE STATEMENT does not authorize charge of the issue fee until/unless an issue fee transmittal form is filed.**

Respectfully submitted,

JENKENS & GILCHRIST,  
A Professional Corporation

By:



Ross T. Robinson  
Registration No.47,031

1445 Ross Avenue, Suite 3200  
Dallas, Texas 75202-2799  
Tel: 214/965-7300  
Fax: 214/855-4300



Docket No. 34650-00677USPT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  
Bryan Smith

Serial No.: 09/882,963

Filed: June 15, 2001

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Examiner: Not Assigned

Group Art Unit: 2681

#610  
JAE  
J.D.  
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10-18-03  
OCT 07 2003

Technology Center 2600

For: METHOD AND APPARATUS FOR A USER TO AVOID UNINTENTIONAL CALLS  
IN A MOBILE TELEPHONE NETWORK

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addressed to: Commissioner for Patents, P. O. Box 1450  
Alexandria, VA 22313-1450

on

October 2, 2003

Carol Mitchell

Signature

Dear Sir:

PRELIMINARY AMENDMENT

Please enter the following amendments to this application:

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this  
paper.

**Remarks** begin on page 6 of this paper.